

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MONTE PITTS,)	CASE NO.: 5:03CV0998
)	
Petitioner,)	JUDGE JOHN ADAMS
)	
v.)	
)	
JULIUS WILSON, Warden,)	<u>JUDGMENT</u>
)	
Respondent.)	
)	

This matter comes before the Court on Objections and Exceptions to the Magistrate Judge's Report and Recommendation by the Petitioner, Monte Pitts ("Petitioner"). This action was referred to Magistrate Judge Perelman for a Report and Recommendation ("Report") on the Petition for Habeas Corpus. The Magistrate found all six (6) of Petitioner's grounds for relief not well taken and recommended that this Court dismiss the action. Petitioner timely filed objections to the Report. The Federal Magistrates Act requires a district court to conduct a *de novo* review of those portions of the Report to which an objection has been made. 28 U.S.C. §636(b)(1). The Court has been advised, having reviewed the Petition, Respondent's Return of Writ and exhibits attached thereto, Petitioner's Traverse and Brief, the Report, Petitioner's Objections thereto, exhibits and applicable law.

It is first noted that the objections made are merely reiterations of the arguments made in the Petition for Habeas Corpus. Having considered *de novo* those portions of the Magistrate's Report to which objection is made by the Petitioner, it is determined that there appears to be no factual disputes

which would warrant a hearing. It is further determined, based on a *de novo* review of the record in light of Petitioner's objections, this Court agrees with the conclusions of the Magistrate Judge and adopts the report and recommendation as its own. Therefore, the Report by the Magistrate Judge is ADOPTED IN WHOLE and the findings of fact and conclusions of law are fully incorporated by reference herein. As such, the Petition for Habeas Corpus is hereby DISMISSED with prejudice. No further articulation of the Court's reasoning need be provided. *Tuggle v. Seabold*, 806 F.2d 87, 92-93 (6th Cir. 1986).

So ordered.

s/ John R. Adams 5/18/05
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE